

**123rd Maine Legislature  
First Regular Session**

**COMMITTEE RULES OF PROCEDURE**

**1. Chair Presides.** Pursuant to Joint Rule 302, the Senate chair shall preside and in the Senate chair's absence, the House chair shall preside and, thereafter, as the need may arise, the chair shall alternate between the members from each chamber in the sequence of their appointment to the committee.

**2. Quorum.** Pursuant to Joint Rule 306 and Title 3, section 165, a quorum is 7 members, and a quorum must be present to start a meeting or at any time a vote is taken, other than on a motion to adjourn. A quorum is not required to continue a meeting. If a quorum is present, but there is not a Senator among those present, the committee may take a vote only with the authorization of the President of the Senate.

**3. Attendance.** It is each committee member's responsibility to notify the committee clerk whenever the member is unable to attend a public hearing or work session.

**4. Scheduling of hearings and work sessions.** Joint Rules 304 and 305 govern the scheduling and notice of public hearings and work sessions.

- A. The Senate chair, with the agreement of the House chair, and with the assistance of committee staff, shall schedule legislative documents for public hearings and work sessions. If the chairs do not reach an agreement, the committee shall decide by majority vote of the membership.
- B. Subject to approval of the presiding officers, the committee establishes the following days for its public hearings and work sessions. Upon approval of the general schedule by the presiding officers, the chairs shall schedule all committee work on those days and no other unless the presiding officers jointly approve an exception to the schedule.

Day: \_\_\_\_\_ Time: \_\_\_\_\_

Day: \_\_\_\_\_ Time: \_\_\_\_\_

Day: \_\_\_\_\_ Time: \_\_\_\_\_

Day: \_\_\_\_\_ Time: \_\_\_\_\_

- C. Public hearings must be advertised 2 weekends in advance of the hearing date. The presiding officers must approve all exceptions in advance.
- D. The committee clerk shall distribute to all committee members a detailed list of hearings and work sessions that have been scheduled for the following week. The committee clerk shall also post the schedule in or at the committee room for the public. The committee clerk shall notify the sponsors of legislation of the date and time of the public hearing at least 2 days in advance of the hearing. The committee clerk shall also provide timely notice to the sponsors of the date and time of work session(s) on the legislation.
- E. The committee shall provide reasonable access for persons with disabilities at its meetings and allow adequate time for participation by persons with disabilities.

**5. Questions of order.** Pursuant to Joint Rule 304, the presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling stands unless overruled by a majority of the committee membership.

**6. Smoking and eating restrictions.**

- A. Pursuant to 22 MRSA §1542, smoking is prohibited in all committee rooms and committee offices. Smoking is prohibited at the entrances to the Cross Building. Legislative Council policy also prohibits smoking in the State House, including the third floor balcony and within 20 feet of the building.
- B. Members of the public may not consume food or beverages in the committee room.
- C. Committee members may not consume food or beverages in committee rooms except as provided below:
  - (1) Committee members may consume water only during public hearings and beverages only during work sessions;
  - (2) Committee members may consume food and beverages at the leave of the co-chairs only when a work session extends beyond 6:00 p.m.; and
  - (3) Food and beverages are permitted in Room 228 and Room 334 at other times by permission of the co-chairs or the chair of the Legislative Council.

**7. Procedures for public hearings.** The purpose of a public hearing is to invite public comments on proposed legislation or gubernatorial nominations pending before the committee. Joint Rule 304 governs the public hearing process.

- A. Each person testifying shall announce his or her name, residence and affiliation prior to testifying. The person also shall either sign the sheet maintained by the committee clerk or otherwise provide that information to the committee clerk to be placed in the committee files.

- B. Legislators and persons in the audience must be addressed by their title.
- C. Pursuant to Joint Rule 307, all written materials presented to the committee must bear the name, address and affiliation, if applicable, of the presenter and the date presented. Persons submitting written materials shall provide the committee clerk with at least 20 copies.
- D. All questions must be addressed through the chair. Pursuant to Joint Rule 304, at public hearings, the chair may limit testimony as necessary for the orderly conduct of the hearing.
- E. Committee members may question witnesses to clarify testimony and to elicit helpful and pertinent information. While probing questions may sometimes be appropriate, members shall show respect at all times for the witnesses and for one another. Members shall refrain from questioning that is argumentative, oppressive, repetitive or unnecessarily embarrassing to hearing participants. Advocacy and discussion among members are not appropriate at public hearings. A committee member who is the primary sponsor of a legislative document and any member who testifies for or against the legislative document ordinarily should refrain from questioning other witnesses.
- F. Committee members and members of the public shall refrain from making or receiving phone calls during public hearings, and from using pagers during public hearings unless the pagers are placed in a non-audible mode.
- G. Procedures for public hearings on nominations of gubernatorial appointments are governed by statute and the Joint Rules.

**8. Procedures for work sessions.** The purpose of a work session is to provide an opportunity for the committee members to deliberate on legislative documents and other matters pending before the committee.

- A. All questions must be addressed through the chair.
- B. Because work sessions are primarily for deliberation on bills and other committee matters by the committee members and for working with the committee analyst, members of the audience may not participate except at the invitation of the chair.

**9. Reports.** Joint Rule 310 governs committee reports. The committee shall report out every legislative document referred to it, in accordance with reporting deadlines established by the presiding officers and the Joint Rules. The report of the committee must include a recommendation.

- A. Recommendations that may be made are:

- Ought to Pass;
  - Ought to Pass as Amended;
  - Ought to Pass in New Draft;

Ought Not to Pass; or  
Refer to Another Committee.

Necessary fiscal notes must be incorporated into the committee report before the bill is reported out.

- B. The committee shall vote on all recommendations to be included in reports on a legislative document during a work session on that legislative document. Votes may not be taken after 10:30 p.m. or before 7:30 a.m. unless first authorized jointly by the presiding officers.
- C. When a vote is taken on a legislative document, the committee clerk shall record the vote. If all members are not present for the vote, the legislative document must be held in committee at least until the following periods have expired.
  - (1) If any member is absent from the State House and the Cross Building at the time of the vote, that member's vote may be registered with the clerk up until noon on the 2nd business day following the vote.
  - (2) If any member is absent from the committee at the time of the vote but present in the State House or the Cross Building, that member's vote may be registered with the clerk up until 5:00 p.m. on the day of the vote.
- D. If the vote is not unanimous, more than one report is required. Majority and minority reports must be voted on in a work session in accordance with the Joint Rules.
- E. A member may abstain from voting only if the member has a conflict of interest as described in Joint Rule 104.
- F. The committee clerk shall prepare the committee jacket or jackets following the vote and obtain signatures from committee members as required.
- G. The final version of all committee reports must be reviewed at a work session or otherwise distributed to all committee members. The committee shall ensure that all committee reports are available for review by the public no later than when the report is submitted to the Legislature.
- H. After a committee vote, no substantive change may be made in the committee report unless motions to reconsider and to amend the report are approved at a committee work session.
- I. All reports on any legislative document must be submitted to the Legislature at the same time and within applicable reporting deadlines established by the presiding officers.

**10. Joint Referral of Bills:** Bills with subject matter that overlap committee jurisdictions may be referred jointly to more than one committee. In those cases, Joint Rule 308(3) makes specific provisions for the conduct of public hearings and work sessions and for the reporting out of the bills.

**11. Participation in the Budget Process:** Each policy committee shall appoint a subcommittee of at least 3 and not more than 5 of its members to serve as liaisons to the Joint Standing Committee on Appropriations and Financial Affairs in the consideration of the Governor's budget bill(s). Committee participation in development of budget legislation is governed by Joint Rule 314. At the end of the session, the committee shall submit a list to the Appropriations Committee establishing its priority for committee bills that are placed on the Special Appropriations Table.

**12. Use of the Committee Room:** During the legislative session, Committee chairs and other committee members shall coordinate the use of the committee room with the committee clerk. At all other times, use of committee rooms shall be coordinated through the Legislative Information Office.

**13. Confidentiality.** The committee shall protect confidential records in accordance with procedures set forth in Joint Rule 313 and freedom of access laws, the Maine Revised Statutes, Title 1, chapter 13, subchapter I.

Adopted by the Joint Standing Committee on

Date: \_\_\_\_\_

BY:

Senate Chair: \_\_\_\_\_ House Chair: \_\_\_\_\_

Seen and agreed to by:

\_\_\_\_\_  
President of the Senate

Date: \_\_\_\_\_

\_\_\_\_\_  
Speaker of the House

Date: \_\_\_\_\_

uuuA copy of the adopted Committee Rules of Procedure must be  
posted in the committee room and be available for public review uuu